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☐ CIRCUIT CLERK

November 7, 2007

**Via Hand Delivery**

Hon. Richard J. Sullivan  
U.S. District Court, Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

<b>USDS SDNY</b>	7
<b>DOCUMENT</b>	
<b>ELECTRONICALLY FILED</b>	
DOC #:	11/8/07
DATE FILED: 11/8/07	

Re: *Bilello v. JPMorgan Chase Retirement Plan, et al.*; Civ. No. 07-7379

Dear Judge Sullivan:

We represent Plaintiff Frank Bilello in this action. Pursuant to this Court's October 30, 2007 Scheduling Order, a pre-motion conference is set for this Friday, November 9, to discuss Defendants' request to file a motion to dismiss. We understand that the conference has been rescheduled with your Case Manager to commence at 2:30 p.m.

I write to request permission for me and co-counsel from Schiffriin Barroway Topaz & Kessler, LLP, Joseph Weeden, to appear telephonically for this conference. Our co-counsel who practice in New York will appear at the pre-motion conference in person.

If a telephonic appearance would be acceptable to the Court, we would be happy to either call the Court together at the scheduled time, or to await a call from the Court. Thank you for considering this request.

Respectfully,

Amy Williams-Derry  
Counsel for Plaintiff

Joseph Weeden  
Counsel for Plaintiff

cc: All Counsel of Record  
Ms. Eileen Levine (via email)

SO ORDERED  
Dated: 11/8/07

RICHARD J. SULLIVAN  
U.S.D.J.

*Counsel to call chambers @ 212-801-0264.*

REPLY TO: 1201 THIRD AVENUE SUITE 3200 SEATTLE, WASHINGTON 98101-3052 TELEPHONE: (206) 623-1900 FAX: (206) 623-3384

WWW.KELLEROHRBACK.COM

AFFILIATED OFFICE: KELLER ROHRBACK PLC 3101 N. CENTRAL AVENUE, SUITE 1400 PHOENIX, ARIZONA 85012 (602) 248-0088 FAX (602) 248-2822